

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

<b>DATATREASURY CORPORATION,</b>	§	
Plaintiff	§	
	§	CIVIL ACTION NO. 6:11cv92
v.	§	
	§	JURY TRIAL DEMANDED
<b>NORTH AMERICAN BANCSHARES, INC.,</b>	§	
<b>AMERICAN BANK OF TEXAS, and</b>	§	
<b>AMERICAN BANK OF TEXAS, N.A.,</b>	§	
Defendants	§	

**AGREED MOTION TO DISMISS DEFENDANTS NORTH AMERICAN  
BANCSHARES, INC., AMERICAN BANK OF TEXAS, AND AMERICAN BANK OF  
TEXAS, N.A. WITH PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the terms of a separate Settlement, Release and License Agreement, the Plaintiff, DataTreasury Corp. (“DTC”) and Defendants North American Bancshares, Inc., American Bank of Texas and American Bank of Texas, National Association (“Defendants”) have agreed to settle, adjust and compromise all claims and counterclaims against each other in the above-captioned actions. The parties move this Court to dismiss with prejudice in the above-entitled causes any and all claims by DTC against Defendants and to dismiss any and all counterclaims by Defendants against DTC.

DTC and Defendants also move the Court to order that all costs and expenses relating to this litigation (including attorney and expert fees and expenses) shall be borne solely by the party incurring same. Other than Defendants, no defendants shall be dismissed as a result of this Motion.

A proposed Order accompanies this motion.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I certify that on July 28, 2011, all counsel who are deemed to have consented to electronic service are being served with a copy of this document via electronic transmission.

/s/ Nelson J. Roach